

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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JAOQUIN DAVID CABALLERO,

Civil No. 13-cv-2143 (MJD/TNL)

Petitioner,

v.

**ORDER**

SCOTT P. FISHER, *Warden, FCI Sandstone,*

Respondent.

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Jaoquin David Caballero, 08791-028, SANDSTONE FEDERAL CORRECTIONAL INSTITUTION, P.O. BOX 1000, SANDSTONE, MN 55072.

Gregory G Brooker, United States Attorney's Office, 300 South 4th Street, Suite 600, Minneapolis, MN 55415.

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Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated August 19, 2013 (Docket No. 2), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Docket No. 1) is **DENIED**; and
2. This action is summarily **DISMISSED** for lack of jurisdiction.

Date: October 7, 2013

s/Michael J. Davis  
The Honorable Michael J. Davis  
United States Chief District Court Judge  
for the District of Minnesota